

Cooperation with Other Regulatory Agencies

Proposal: Amend § 2.15, Records, to permit sharing of investigative information with other regulatory agencies.

Explanation: Under this section, all investigatory files are confidential except in a criminal proceeding, in a hearing conducted by the commission, on court order, or with the consent of the party being investigated. From time to time, an investigation reveals information about potential misconduct by a licensed veterinarian or a person beyond the Commission's jurisdiction. A change to this statute would permit the Commission to notify another regulatory agency, such as the Texas State Board of Veterinary Medical Examiners, of such conduct.

Sec. 2.15. Records.

(a) All records of the commission that are not made confidential by other law are open to inspection by the public during regular office hours. All applications for a license under this Act shall be maintained by the commission and shall be available for public inspection during regular office hours.

(b) The contents of the investigatory files of the commission[~~-, however,~~] are not public records and are confidential except in a criminal proceeding, in a hearing conducted by the commission, on court order, or with the consent of the party being investigated.

(c) The commission may share information contained in an investigatory file with another regulatory agency if reasonable cause exists to believe that a person has violated a law or rule within the jurisdiction of the other agency. An agency receiving such information may use the information as if it were obtained through its own investigative processes.